



Dep. REF
PATENT TRIANGLE
DIVISION Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 JUL 26 AM 10: 56

In Re: :
Applicants : Frank Check et al.
Application Serial No.: 09/837,535
Filing Date : April 18, 2001
Title: BIOOPTICAL HOLOGRAPHIC LASER SCANNING SYSTEM
Examiner : Allyson Trail
Group Art Unit : 2876
Attorney Docket No. : 108-083USA000

#21 Ref for refund 09-07-04

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

REQUEST FOR REFUND

SIR:

Attorney for Applicants respectfully requests that the amounts of \$770.00 and \$216.00, which total \$986.00, be refunded to Deposit Account 16-1340. Said debits were posted on October 9, 2003 under Sequence Numbers 196 and 197, respectively. A copy of the Deposit Account (No. 16-1340) Statement for October 2003 is attached hereto as Exhibit A.

On October 7, 2003, Attorney for Applicants filed the following documents in response to the Notice to File Missing Parts mailed November 10, 2003:

- Request for Continued Prosecution Application Under 37 C.F.R. 1.53(d);
- Permission to charge Deposit Account no. 16-1340; and
- Certificate of First Class Mailing under 37 C.F.R. 1.08 dated October 7, 2003.

On October 9, 2003, per our permission, the requisite fees totaling \$986.00 were debited from Deposit Account no. 16-1340, for the Continued Prosecution Application.

On April 26, 2004, Attorney for Applicants received a Notice of Improper Request for Continued Examination dated April 23, 2004, and shortly thereafter, received a Notice of Abandonment in this Application.

In view of the fact that the Continued Prosecution Application was not filed, Attorney for Applicants considers the charge of filing fees totaling \$986.00 to have been debited in error,

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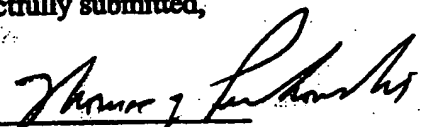
justment date: 09/07/2004 EEKURQY1
709/2003 DTESSEM1 00800119 161340 09837535
FC:1006 770.00 CR
FC:1202 216.00 CR

and respectfully requests immediate refund thereof. Please credit the amount to Deposit
Account 16-1340. A copy of this document is attached hereto.

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Respectfully submitted,

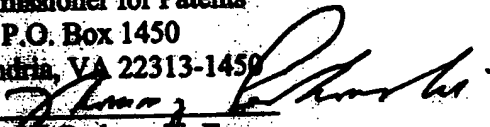
Dated: July 15, 2004


Thomas J. Perkowski, Esq.
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CERTIFICATE OF FIRST CLASS MAIL
UNDER 37 C.F.R. 1.08

I hereby certify that this correspondence is
being deposited with the United States Postal Service
on July 15, 2004 as First Class Mail
in a postage prepaid envelope
addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Dated: July 15, 2004